

39967-31

3/3/2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Ms. Heather Collins
Senior Regulatory Affairs Specialist for,
LANXESS Corporation
111RIDC Park West Drive
Pittsburgh, PA 15275-1112

MAR - 3 2010

Subject: Metasol TK-100 Liquid Concentrate
EPA Registration Number 39967-31
Your Notification Dated January 22nd, 2010
EPA Received Date February 2nd, 2010

The notification referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act, FIFRA, as amended, to revise the Container section as per PR Notice 2004-7, is acceptable.

The notification has been made part of the file.

If you have questions concerning this letter, please contact Karen M. Leavy at (703)-308-6237.

Sincerely,

A handwritten signature in black ink that reads "M Swindell".

Marshall Swindell
Product Manager 33
Regulatory Management Branch I
Antimicrobials Division(7510P)

2014

	United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/> Registration <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Other	OPP Identifier Number
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Application for Pesticide - Section I

1. Company / Product Number <u>39967-31</u>	2. EPA Product Manager <u>Swindell</u>	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company / Product (Name) <u>Metasol TK-100 Liquid Concentrate</u>	PM# <u>33</u>	
5. Name and Address of Applicant (include ZIP Code) <u>LANXESS Corporation</u> <u>111 RIDC Park West Drive</u> <u>Pittsburgh, PA 15275-1112</u> <input type="checkbox"/> Check of this is a new address		6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(I), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____

Section - II

<input type="checkbox"/> Amendment - Explain Below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input checked="" type="checkbox"/> Resubmission in response to Agency letter dated <u>12/8/09</u>	<input type="checkbox"/> "Me Too" Application
<input type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)
 Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA."

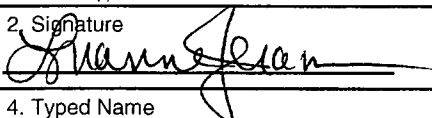
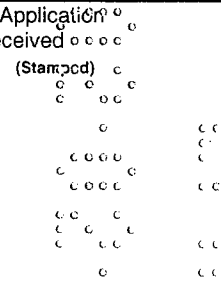
Section - III

1. Material This Product Will Be Packaged In:					
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package Wgt	No. per container
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) retail Container		5. Location of Label Directions	
6. Manner in Which Label is affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glues <input type="checkbox"/> Other _____ <input type="checkbox"/> Stenciled					

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary. To process this application.)

Name <u>Luanne Jeram</u>	Title <u>Senior Regulatory Affairs Specialist</u>	Telephone No. (Include Area Code) <u>412-809-4773</u>
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Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received (Stamp)
2. Signature 	3. Title <u>Senior Regulatory Affairs Specialist</u>	
4. Typed Name <u>Luanne Jeram</u>	5. Date <u>1/22/10</u>	

3084

January 22, 2010

VIA COURIER

Luanne Jeram
Material Protection Products
Regulatory Affairs
111 RIDC Park West Drive
Pittsburgh, PA 15275-1112

Phone 412-809-4773
Fax 412-809-1068
luanne.jeram@lanxess.com
www.US.LANXESS.com

Mr. Marshall Swindell (33)
Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, VA 22202-4501

**RE: Product: Metasol TK-100 Liquid Concentrate
Registration #: 39967-31
Letter indicating the label language submitted under Notification
for Label Change per PR Notice 2007-4 is unacceptable**

Dear Mr. Swindell:

LANXESS Corporation received a response to our Notification for label change per PR Notice 2007-4 dated December 8, 2009 which indicated our notification (dated November 3, 2009) was unacceptable.

Based on the characteristics of the product, use instructions and the containers types in which the product is sold, we feel the language as submitted is adequate. This has been confirmed in a conversation with Mr. Dempson Fuller on January 21, 2010.

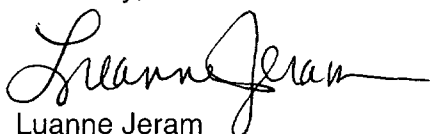
For your reference the following is enclosed:

- 1. Application form (EPA Form 8570-1)
- 2. EPA's letter dated December 8, 2009 stating our notification was unacceptable
- 3. Proposed label highlighting the updated statements in yellow – 1 copy
- 4. Proposed label – 1 copy

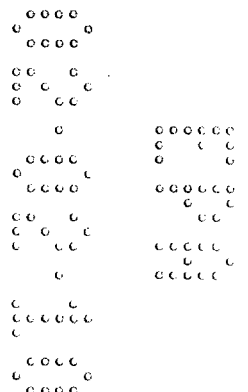
Please note the highlighted changes also include those made in response to the EPA's Eight Month Response to the Thiabendazole RED. These changes were submitted to the Agency in a packet dated January 13, 2010.

Please feel free to contact me at 412-809-4773 if additional information is required.

Sincerely,



Luanne Jeram
Senior Regulatory Affairs Specialist



METASOL[®] TK-100 LIQUID CONCENTRATE

TO INHIBIT THE GROWTH OF MOLD AND MILDEW ON ADHESIVE FILMS, PAINT FILMS, PAPER PRODUCTS, AND NATURAL AND SYNTHETIC FIBERS AND COATINGS

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed. Avoid contact with eyes, skin and clothing. Mixer, loaders, applicators and other handlers must wear: Coveralls over long sleeved shirt and long pants, chemical-resistant footwear plus socks, chemical-resistant gloves made of any waterproof material, and chemical-resistant apron for mixing and loading and when cleaning equipment.

User Safety Recommendations: User should wash hands before eating, drinking, chewing gum, tobacco, or using the toilet. User must remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users must remove PPE immediately after handling this product. As soon as possible, wash thoroughly and change into clean clothing.

STORAGE AND DISPOSAL

Do not contaminate food, feed or water by pesticide storage or disposal.

PESTICIDE STORAGE: Keep container closed when not in use.

PESTICIDE DISPOSAL: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

CONTAINER HANDLING: Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available or reconditioning if appropriate.

METAL CONTAINERS: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved state and local authorities.

PLASTIC CONTAINERS: Dispose as for metal containers. May also be incinerated or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

ENVIRONMENTAL HAZARDS

Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

IN CASE OF EMERGENCY, CALL: CHEMTREC 800-424-9300

EPA Reg. No.: 39967-131

EPA Est. No.:

LANXESS

KEEP OUT OF REACH OF CHILDREN DANGER

FIRST AID

IF ON SKIN OR CLOTHING: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.

IF IN EYES: Hold eyes open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing. Call a poison control center or doctor for treatment advice.

IF INHALED: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible. Call a poison control center or doctor for treatment advice.

IF SWALLOWED: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told by a poison control center or doctor.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage. Measures against circulatory shock, respiratory depression and convulsion may be needed.

Have a product container or label with you when calling a poison control center or doctor or going for treatment.

* Metasol is a registered trademark of LANXESS Corporation

Active ingredient manufactured in India.

Notice: Seller expressly warrants that the product conforms to its chemical description. There are no warranties associated with the sale of this product expressed or implied, including, but not limited to the warranties of fitness for a particular purpose of merchantability.

ACTIVE INGREDIENT: 2-(4-Thiazolyl)benzimidazole, as the Hypophosphite Salt -----20.0%
INERT INGREDIENTS: -----80.0%
TOTAL 100.0%

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Adhesive Films: The following concentrations must be used to provide mildew control on water-based adhesive films. The concentrations are based on the total adhesive formulation weight. METASOL TK-100 Liquid Concentrate can be incorporated with the make-up water or as a post-additive in adhesive production. Tektamer 38 A.D. or other LANXESS preservatives should be incorporated into the aqueous adhesives formulation to inhibit in-can bacterial degradation during shelf storage.

Adhesive Type	% Concentration, Metasol TK-100 Liquid Concentrate
Polyvinyl Acetate	0.50-0.75%
Styrene-Butadiene	0.25-0.50%
Polyvinyl Alcohol	0.50-0.75%
Methyl Cellulose	0.25-0.75%
Hydroxyethyl Cellulose	0.25-0.50%
Acrylic	0.25-0.50%
Dextrin	0.25-0.50%
Casein	0.75%
Epoxy	0.25-0.50%
Polyester	0.25-0.50%

METASOL TK-100 Liquid Concentrate should not be used where the treated adhesive comes in contact with food packaging materials or on food contact surfaces. Testing should be conducted to assure compatibility with product formulation.

Paint Films (Exterior): The active ingredient in METASOL TK-100 Liquid Concentrate has been extensively tested in the laboratory under accelerated weathering conditions and panels have been exposed for periods up to four years at critical mildew locations in the United States. Millions of gallons of paints have been commercially produced and used in homes and industrial installations ranging from the Eastern shore to the Gulf Coast for periods up to five years. Recommendations are based on the successful results of these investigations. Tektamer 38 A.D. or other LANXESS preservatives should be incorporated into latex paint formulations to inhibit any bacterial degradation during shelf storage. Testing should be conducted to assure compatibility with product formulation.

Paint System	Lb/100 Gal
PVA	2.5-5.0
Acrylic	2.5-5.0
Vinyl Acrylic	2.5-5.0
Alkyd Modified Latex	5.0-7.5
Zinc Oxide Pigmented Latex	1.25-3.75
Oil House	5.0-7.5
Alkyd	5.0-10.0
Zinc Oxide Pigmented Alkyd & Oil Paints	2.5-5.0

Notice: Seller expressly warrants that the product conforms to its chemical description. There are no warranties associated with the sale of this product expressed or implied, including, but not limited to the warranties of fitness for a particular purpose of merchantability.

INTERNATIONAL 703-527-3887

Net Contents:

Lot No.:

LANXESS Corporation

111 RIDC Park West Drive • Pittsburgh, PA 15275-1112

LABEL TEXT DATE: 1/13/2010

Interiors: METASOL TK-100 Liquid Concentrate is an effective mildewcide for interior coatings and masonry surface coatings where mold-resistant interior coatings are needed. METASOL TK-100 Liquid Concentrate should not be used in coatings that come in contact with food. The following recommendations are made.

Interior Paint Systems	Lb/100 Gal
TT-P-0029 Latex Flat	0.50-1.25
TT-P-650 Latex Primer	1.25-2.50
New York City Housing Authority Coatings	1.25-3.75
Sanitary Latex Semi-Gloss	1.25-5.00
Cleoresinous Interiors	2.50-5.00

METASOL TK-100 Liquid Concentrate should be incorporated with the TiO₂ in the pigment grind for all paint systems. Testing should be conducted to assure compatibility with product formulation.

Paper Products: METASOL TK-100 Liquid Concentrate is most efficiently applied via the size tub or water troughs. METASOL TK-100 Liquid Concentrate is a water-soluble acidic salt solution. If the pH of this solution is raised above 4, the salt to the insoluble 2-(4-thiazolyl)benzimidazole that will precipitate. The 2-(4-thiazolyl)benzimidazole is stable and active under a wide variety of pH conditions ranging from highly alkaline to highly acidic. However, once precipitation occurs, pick-up will be poor. The tub size or water trough solutions should be adjusted to a pH below 4.0. The METASOL TK-100 Liquid Concentrate should then be added with thorough agitation. It has been shown that the resulting pH has no adverse effects on the properties of the starch, equipment, or physical properties of the final product. The METASOL TK-100 Liquid Concentrate should be applied at dosage levels from 200 to 1000 ppm active ingredient based on the finished paper weight. For use in a coating color the METASOL TK-100 Liquid Concentrate should be added with agitation to the make-up water. Although subsequent raising of the pH with the binder or alkali will precipitate the 2-(4-thiazolyl)benzimidazole, this precipitate will be evenly distributed throughout the coating color. The use of METASOL TK-100 Liquid Concentrate in coating colors is recommended in addition to treatment of the base stock.

METASOL TK-100 Liquid Concentrate is a fungicide only. Tektamer 38 A.D. or other LANXESS preservatives should be incorporated into sizing solutions to inhibit any bacterial degradation during shelf storage.

Note: METASOL TK-100 Liquid Concentrate should be used only for the manufacture of non-food grade paper products. METASOL TK-100 Liquid Concentrate has not been cleared for use in paper or paperboard products intended for use in contact with food.

Canvas Textiles: METASOL TK-100 Liquid Concentrate is an effective product that has been used successfully in providing mildew and mold resistance to canvas textiles. The simplest treatment method is to prepare a trough with water at pH 3-4 and then add the METASOL TK-100 Liquid Concentrate to obtain the desired concentration. The fabric is passed through the solution until the proper amount of solution is absorbed on the fabric. A wetting agent may be used to aid in penetrating the fabric. The METASOL TK-100 Liquid Concentrate should be applied at dosage levels from 500 to 3000 ppm active ingredient based on finished fabric. The amount necessary to provide the desired protection against mold and mildew can then be determined. If deposition of METASOL TK-100 Liquid Concentrate onto the canvas is desired, a subsequent wash with 1% soda ash solution will suffice. This can be followed by normal processing steps of the canvas textile. METASOL TK-100 Liquid Concentrate should be used for manufacture of canvas textiles only, such as tents and awnings.

Nylon Carpeting: Using spin finish application, add 0.25 - 1.00% METASOL TK-100 Liquid Concentrate based on total weight of the material being used.

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